



CONFLICT RESOLUTION IN COMPLEX RENOVATION PROJECTS: INSIGHTS FROM A BRAZILIAN CASE

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ABSTRACT

The research article conducts a descriptive single-case study of negotiation patterns during the construction of a major Brazilian corporate office building. The process of renovation work differs from new construction because it encounters continuous interruptions, which generate various conflicting responsibilities and operational constraints that lead to legal disputes among project stakeholders. The project faced major delays because it lacked clear intermediate milestones, which, together with design problems and insufficient subcontractor personnel, led to ongoing disagreements. The negotiation process evolved from using contractual clauses in positional bargaining to an integrative approach that focused on identifying mutual interests between the parties. The research shows that contracts serve as fundamental tools, but they fail to control intricate renovation projects, which need ongoing dialogue and flexible management systems.

KEY WORDS

Negotiation;
construction
management; Brazil

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Introduction

The negotiation process on construction sites becomes complicated due to their complex nature during corporate building renovation projects. The process of renovation work requires different handling than new construction because it involves continuous disruptions, design changes, operational restrictions, and multiple organizations sharing authority. The research by Saunders et al. (2009) shows that project management faces multiple challenges because contractual gaps and scope ambiguities develop into conflicts.

Research shows that integrative negotiation approaches, which examine parties' interests beyond their declared positions, produce better results in complex negotiation situations (Fisher & Ury, 1981; Lax & Sebenius, 1986). The research investigates a Brazilian corporate office renovation through single-case descriptive analysis to determine how contractual weaknesses, project errors, and insufficient workforce capacity led to continuous workplace conflicts. The research demonstrates how governance

mechanisms, together with interest-based negotiation, BATNA, ZOPA, and integrative strategies, enabled project delivery through concepts from negotiation theory.

The research defines negotiation, following Rubin and Brown (1975), as a collaborative process in which parties reach mutual agreements (Dias, 2020). The research investigates Type IV negotiation (Dias, 2020) by analyzing how parties implement integrative methods to develop common value. From judicial reorganizations (Vidaletti & Dias, 2025) to business disputes (Bazerman & Moore, 1994; Delgado & Dias, 2025; Gasparini et al., 2025; Oliveira, Souza & Dias, 2025; Scheuer & Dias, 2025; Smejoff et al., 2025; Soliva & Dias, 2025; Valle, Trindade & Dias, 2025), negotiation research has shown us what's possible. In addition, we followed Dias' (2020) typology on the negotiation classification, as depicted in Figure 1:



Figure 1 The Four-Type Negotiation Matrix
Source: Dias, 2020. Reprinted under permission.

2. Materials and Methods

The research design of this study uses qualitative methods to examine negotiation patterns in complex construction settings, employing inductive reasoning and interpretive analysis. Saunders et al. (2009) argue that qualitative research methods work best for situations involving diverse participants who must navigate unclear situations, because the researcher wants to study how things develop rather than quantifying results. The research design uses a descriptive single-case study methodology, as described by Yin (2004) for studying important or insightful cases. The business renovation project was selected because it demonstrates effective methods for handling ambiguous contracts and position-based and integrative negotiation techniques that organizations should use in their essential business negotiations. The example meets Yin's requirement for single-case selection by giving us new information about how negotiations work on Brazilian construction projects.

The research team collected data from three sources: project documents on contracts and schedules, meeting minutes, and direct accounts from negotiation participants and observations of project governance meetings. The research used triangulation to achieve analytical rigor by combining different sources, which helped researchers verify their findings and minimize potential biases (Dias, 2020; Dias & Navarro, 2020). The research focused on identifying negotiation components, including BATNA and ZOPA, and on methods for building trust and governance systems based on the

frameworks established by Fisher and Ury (1981), Lax and Sebenius (1986), and Dias (2020). In accordance with ethical standards, all real names and identities of individuals and corporations were omitted. Anonymous identifiers were used throughout the project to protect privacy and ensure compliance with standards. The research field of negotiation uses this method as its typical approach, according to Cunha & Dias (2021) and Santos & Dias (2024).

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3. Background

The construction project for the São Paulo corporate office took place at their Mooca unit, which serves as their main store location. The present moment is a critical period because flagship stores serve as operational centers that also represent brands and help establish market visibility. The current situation makes delays, contractual disputes, and negotiation breakdowns more severe, as they will affect how customers view the company and its ability to secure future business deals. The renovation project required strategic negotiation management to fulfill contractual requirements while finishing the flagship store construction within an acceptable time period. The corporate renovation project negotiation process was hampered by three main factors: unclear contract terms, faulty project design, and operational system delays. The contract contained one last delivery deadline that did not need any milestone achievements or partial project transfer requirements. The project started without any planned milestones, which at first seemed unimportant but eventually proved essential for tracking progress and maintaining responsibility for late work completion. The contractual system shows weakness because Cunha and Dias (2021) identify insufficient agreement details as a risk, which leads to disputes when provisions remain unclear.

The execution of multiple design projects required changes to their original designs. The project schedule faced delays because field personnel needed to perform their work again and stop their activities to fix mistakes which stemmed from inadequate or wrong specifications. The system disruptions demonstrate the problems which Geiger (2017) identified as needing special negotiation approaches for industrial and technical settings to handle unexpected events. The subcontractor who performed most of the project work did not have enough trained staff to achieve the needed speed of execution. The operational bottleneck resulted in delayed project work which forced the contractor to use contractual provisions to support their requests for budget expansion and project duration extension. The team handled every new interference and design change by seeking contractual adjustments which followed the positional bargaining approach from Rubin and Brown (1975).

The negotiation research showed that the actual interests between parties differed from their stated negotiation positions. The client needed to finish the renovation project before starting operations so he accepted limited cost overruns for the project timeline. The contractor sought to minimize financial risks, avoid absorbing unforeseen expenses, and protect itself legally. The two positions present conflicting interests because Fisher and Ury (1981) recognize them as distinct factors yet Lax and Sebenius (1986) prove that negotiations consist of both cooperative and competitive aspects. The Zone of Possible Agreement (ZOPA) existed, from R\$279,000.00 (roughly \$46 thousand) to R\$363,000.00 (approximately \$60.5 thousand). The project became real when the client confirmed multiple project effects as valid and accepted additional expenses and the contractor agreed to perform work beyond the original contract requirements. The Best Alternatives to a Negotiated Agreement (BATNAs) were also evident. The client needed to decide between two options which involved either ending the

contract or beginning legal action that would lead to longer project duration and higher project costs. The contractor had the ability to demand addenda or delay project work which would result in negative impacts on their business reputation. The research by Dias (2020) and Dias & Navarro (2020) shows that parties must compromise because they lack strong BATNAs since the expenses of continuing negotiations outside the table become too expensive to bear. The background section demonstrates how contractual gaps and project uncertainties and workforce restrictions created a negotiation area which positional arguments dominated. The process needed to adopt integrative approaches together with trust development systems and management frameworks which Brazilian negotiation studies (Dias & Panzarini, 2025; Santos & Dias, 2024; Valle, Trindade, & Dias, 2025) have shown to be effective.

4. Challenges and pitfalls

The contractor established financial controls to prevent unexpected costs from being charged to his account. The conflict between these two perspectives demonstrates the distinction between interests and positions, as identified by Fisher and Ury (1981), and the dual nature of negotiation, which contains both cooperative and competitive elements, as noted by Lax and Sebenius (1986).

The Zone of Possible Agreement (ZOPA) started with no clear boundaries, but it grew larger when the client acknowledged some of the effects as valid and took on more expenses, while the contractor accepted non-standard solutions beyond the original contract terms. The Best Alternatives to a Negotiated Agreement (BATNAs) also influenced the process. The client needs to decide between ending their contract and initiating legal action, which will lead to project delays and increased costs. The contractor needed to choose between asking for addenda or working at a faster pace but both methods put his professional standing at risk. The research by Dias (2020) and Dias & Navarro (2020) shows that parties must compromise when they have weak BATNAs because the expenses of seeking alternatives through negotiation become too high to handle. The three elements, which include contractual gaps, positional bargaining, and operational deficiencies, create negotiation barriers that prevent successful agreement achievement, according to the case. The Resolution process needed to adopt new approaches that combined different strategies with trust development systems and administrative frameworks, according to Brazilian negotiation studies that demonstrate how adaptive models work best in complex situations (Scheuer & Dias, 2025; Soliva & Dias, 2025; Valle, Trindade, & Dias, 2025).

5. Closing the Deal

The corporate renovation project negotiation reached its final solution through a transition from positional to integrative negotiation. The project experienced increasing delays as parties involved began fighting with each other, so they organized a meeting at the highest level that brought together all the project companies' boards. The team discovered at the meeting that following all contract requirements exactly would prevent them from finishing the project before its scheduled deadline. The client agreed to assume part of the additional costs claimed by the contractor, recognizing the legitimacy of impacts arising from design revisions and specification flaws. The agreement showed how parties use their interests rather than their stated positions to negotiate, according to Fisher and Ury (1981). The contractor accepted alternative solutions that departed from the original contract terms to preserve their business relationship, which aligns with the integrative negotiation approaches of Lax and Sebenius (1986) and Dias (2020).

The client made an essential decision when they brought third-party subcontractors on board to expand their workforce in their most important operational sections. The implemented measure helped speed up operations while addressing operational delays that had been slowing project advancement. The company dropped its original contractual system because it demonstrated flexibility through its negotiation approach, as Geiger (2017) and Dias & Navarro (2020) explain as a way to handle intricate business challenges. The project team created a new governance system that required daily monitoring sessions during its deployment. The team gained a complete understanding of the process through these meetings, which allowed them to exchange information directly to correct deviations right away, thus preventing minor issues from becoming major problems. The development of governance systems follows Brazilian negotiation research, which shows that agreements require trust-building mechanisms and performance-tracking systems to maintain stability during difficult times (Dias & Panzarini, 2025; Santos & Dias, 2024; Valle, Trindade, & Dias, 2025). The Zone of Possible Agreement (ZOPA) focused approximately R\$279,000.00 (roughly \$46 thousand) and R\$363,000.00 (approximately \$60.5 thousand) in credits, ensuring economic balance and enabling the completion of the project.

Ultimately, closing the deal required both parties to recognize the limitations of their BATNAs. The project timeline will exceed acceptable limits, and the client will incur additional costs if the contract terminates or if they need to go to court to settle disputes. The contractor faced two major risks: requesting addenda or delaying work activities would damage his professional reputation and block his path to future business opportunities. The two options showed equal weakness, which led the parties to find common ground, as BATNA analysis in negotiation theory serves as a diagnostic tool (Rubin & Brown, 1975; Zartman, 1988). The parties reached an agreement that enabled them to complete the project on time while preserving their business relationship and demonstrating that their conflict-resolution system, grounded in governance and trust, could resolve disputes that had seemed impossible. The deal comprised the following options:

- The project team accepted partial payment for additional costs, which limited financial rebalancing to only those impacts directly resulting from design changes and specification errors, but they did not accept all requested addenda.
- The client implements direct third-party recruitment to support vital work areas because the contractor needs more personnel to perform their essential contract duties.
- The project team needed to preserve the original delivery deadline because they could only extend it by a small amount, which they had previously established for operational start purposes.
- The project will create an innovative governance system that tracks project schedule performance and technical consistency on a daily basis and takes immediate action when it detects any deviations.

6. Discussion

The major corporate building renovation project failed to reach successful negotiations due to undefined contract provisions, unexpected project challenges, and insufficient staffing. The project evolved into a protective system rather than a teamwork-based framework because the contract failed to establish specific project milestones and clear project boundaries. The research findings from Cunha and Dias (2021) validate this discovery, as their study demonstrates that disorganized contracts lead to more disputes rather than preventing them. The negotiation process began with positional bargaining,

during which the contractor used contractual clauses to support all their claims. The situation follows the pattern Rubin and Brown (1975) described: positional approaches in conflicts create more problems than they solve. The parties eventually adopted integrative negotiation because they understood each other's true interests, leading them to find solutions both sides could accept. The approach to negotiation supported by Fisher and Ury (1981) and Lax and Sebenius (1986) proved successful in this situation. The negotiation results depended on the strategic use of BATNA and ZOPA. The client had to choose between two impossible BATNA options: either end their contract or file a lawsuit against the contractor, who had two options: either delay their work or make changes through addenda that could damage their professional reputation. The research conducted by Dias (2020) and Dias & Navarro (2020) shows parties need to compromise because their limited negotiation abilities stem from having few alternative choices, which forces them to create BATNAs and ZOPAs during their first negotiation meetings. The outcome depended heavily on the governance systems that were in place. The team used daily monitoring meetings to detect process deviations because they captured all stages of the production process. The governance system operates in line with Brazilian negotiation research, which shows that parties must establish trust-based systems and performance-monitoring mechanisms to maintain stability during difficult periods (Dias & Panzarini, 2025; Santos & Dias, 2024; Valle, Trindade, & Dias, 2025).

The case shows that governance systems enable organizations to run their operations, while organizations use them to establish improved partnerships that reduce organizational uncertainty. The research provides essential insights into how negotiation approaches function within complex systems. The client chose third-party subcontractors for direct hiring because this approach aligns with Geiger's (2017) adaptive methods, which address organizational challenges through innovative and flexible solutions. The adaptation follows established research about negotiation in critical situations, which requires organizations to maintain their contracts as fixed points during their search for workable solutions (Zartman, 1988; Salacuse, 2003). The research study extends negotiation theory by demonstrating that organizations can transform their contractual weaknesses, along with their negotiation challenges and operational problems, into shared solutions through governance systems, trust-building systems, and flexible planning approaches. The research indicates that complex projects require contracts, yet these documents fail to ensure project success because stakeholder negotiations throughout the project ultimately determine the project's final.

7. Research Implications

The research contributes to negotiation and conflict management studies by analyzing how renovation projects encounter complications due to ambiguous contracts, bargaining strategies, and operational challenges. The research results show that contracts serve as vital components, yet they do not meet the requirements of projects that must handle scope changes, design issues, and funding shortages. Saunders Lewis and Thornhill (2009) explain that project management requires flexible systems that go beyond contractual obligations to execute negotiation methods throughout regular business activities. The process requires parties to establish negotiation boundaries from the start, as this prevents negotiations from evolving into disputes over fixed positions.

The dispute-resolution process used governance mechanisms as its primary approach to resolving conflicts. The team gained an improved understanding through their daily monitoring meetings, which helped team members exchange information effectively and respond right away to system breakdowns.

Brazilian research shows that agreements between parties remain stable when they trust each other and have functioning governance systems that protect them from external pressures (Dias & Panzarini, 2025; Santos & Dias, 2024; Valle, Trindade, & Dias, 2025). The framework presents governance functions as a two-fold system that serves organizations through operational management and negotiation-based conflict resolution to improve teamwork and prevent unexpected events. The situation requires negotiators to adopt adaptable negotiation strategies to handle unpredictable circumstances. The client used third-party subcontractor services to bring in workers directly from these companies to support workforce growth, demonstrating innovative problem-solving, according to Geiger (2017) and Zartman (1988). The adaptation demonstrates that negotiation requires adaptability, as strict adherence to contractual rules would prevent the achievement of a mutually acceptable agreement. The research establishes that construction and renovation project negotiation is a continuous process that transcends classification as a single occurrence. Contracts set the rules, but for things to go well, people need to keep talking, build trust, and be able to change the terms of the agreement as things change. The discovered knowledge helps develop academic concepts and business operations, enabling researchers to design new studies for similar business situations.

8. Limitations of the study

The research is limited to a single-case descriptive analysis, which prevents the results from being applied to different renovation projects or business sectors. The case study provides vital information on construction negotiation methods in complex building environments, but it lacks matching examples or quantitative data that would enable statistical verification. The research investigates how key stakeholders who participate in negotiations view the process, but it does not consider how outside entities, including regulators, suppliers, and customers, affect the situation. The qualitative research design creates an opportunity for researchers to introduce their own interpretation into the results, as they used triangulation to improve research reliability. Finally, the contextual specificity of the Brazilian corporate environment may limit the applicability of the conclusions to different cultural or institutional settings.

9. Conclusion

The research investigated how negotiations took place during the São Paulo corporate office renovation at the Mooca flagship unit. The case showed that ambiguous contract language, poor project design, and insufficient staffing would lead to major disputes during complex renovation projects. The project evolved into a defensive system because the contract failed to establish specific project milestones and boundaries, triggering defensive actions from all parties involved and intensifying their disputes.

The parties needed to shift their focus from a contractual approach to integrative negotiation, enabling them to identify mutual interests and create adaptable solutions. The client agreed to cover specific costs from the elevated expenses, while the contractor agreed to implement new solutions, demonstrating their evolution from conventional bargaining methods to interest-based negotiation, as described by Fisher and Ury (1981) and Lax and Sebenius (1986). Governance mechanisms proved decisive. The daily monitoring meetings brought transparency to the process while enabling rapid communication to respond to any observed deviations. The governance system reduced uncertainty, which led to better party cooperation, according to Brazilian negotiation research showing that trust

systems with monitoring functions help agreements endure difficult circumstances (Dias & Panzarini, 2025; Santos & Dias, 2024; Valle, Trindade, & Dias, 2025).

Organizations can improve their negotiation success by using BATNA and ZOPA analysis as their core decision-making approach. The ZOPA focused on recognizing approximately R\$ 279 thousand in additives, offset by R\$ 363 thousand in credits, ensuring economic balance and enabling the completion of the project. The parties lacked strong alternative options, which forced them to negotiate, as these concepts enable analysts to examine intricate settlement negotiations (Dias, 2020; Dias & Navarro, 2020; Zartman, 1988). The research shows that contracts are necessary, but they do not provide sufficient protection during corporate restructuring. Organizations need to keep negotiating while they implement flexible governance systems that combine legal obligations with operational solutions to achieve success. The research results strengthen negotiation theory by showing that organizations must employ different negotiation approaches when unexpected situations demand collective decision-making authority. The research offers project managers handling similar projects practical methods for implementing their study results.

Future Research

This single-case research must be expanded via comparative analyses of other industries and international projects to improve the applicability of findings, alongside a quantitative evaluation of negotiating strategies, namely BATNA and ZOPA, on project outcomes. Future research should extend this single-case study by conducting comparative analyses across multiple renovation projects in different industries and countries to strengthen generalizability, while also incorporating quantitative methods to measure the impact of negotiation strategies such as BATNA and ZOPA on project outcomes; exploring cross-cultural perspectives to understand how cultural contexts shape conflict resolution; investigating the role of digital tools like AI-driven contract analysis and real-time monitoring systems in reducing disputes; and undertaking longitudinal studies to assess how governance frameworks and trust-building mechanisms evolve over time, thereby offering a richer understanding of negotiation dynamics in complex renovation projects.

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